

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

February 23, 2001

IN RE:)	
)	
ALL TELEPHONE COMPANIES TARIFF)	DOCKET NO.
FILINGS REGARDING RECLASSIFICATION)	97-00409
OF PAY TELEPHONE SERVICE AS REQUIRED)	
BY FEDERAL COMMUNICATIONS COMMISSION)	
(FCC) DOCKET 96-128)	

**ORDER APPROVING TARIFF NO. 01-00003 FILED ON DECEMBER 29, 2000 AS
REVISED ON JANUARY 11, 2001, APPROVING TARIFF NO. 01-00004 FILED ON
JANUARY 2, 2001, AND GRANTING MOTION FOR EXTENSION**

This matter came before the Tennessee Regulatory Authority ("Authority" or "TRA") at the regularly scheduled Authority Conference held on February 6, 2001 for consideration of Tariff No. 01-00003 filed by BellSouth Telecommunications, Inc. ("BellSouth") on December 29, 2000 and revised on January 3 and 11, 2001, Tariff No. 01-00004 filed by United Telephone-Southeast, Inc. ("UTSE") on January 2, 2001, and *UTSE Motion for Extension of Time* ("Motion") filed by UTSE on January 12, 2001.

I. Factual and Procedural History

At a regularly scheduled Authority Conference on December 19, 2000, the Authority addressed, in part, the merits of Docket No. 97-00409, "the Payphone Docket." The Authority set permanent, monthly, non-traffic sensitive and traffic sensitive rates for BellSouth's payphone

access lines.¹ As a result of its rulings, the Authority directed BellSouth to file a compliant tariff no later than December 29, 2000 to be effective upon notification by the Authority.

The Authority also found that it did not have sufficient information to set rates for UTSE's payphone service due to deficiencies in UTSE's cost study. Based on this finding, the Directors voted unanimously to direct UTSE to file a payphone-specific cost study consistent with the methodology adopted for BellSouth and Citizens no later than Friday, February 2, 2001. Additionally, the Directors voted unanimously to adopt BellSouth's permanent payphone rates as interim rates for UTSE.

On December 29, 2000, BellSouth filed Tariff No. 01-00003 revising its payphone access line rates. On January 2, 2001, UTSE filed Tariff No. 01-00004 setting interim rates equal to the permanent rates adopted for BellSouth. On January 3, 2001, BellSouth revised Tariff No. 01-00003 to change the SmartLine[®] rate from \$13.78 to \$20.94 and the effective date from "[u]pon notification by TRA" to January 28, 2001.² On January 4, 2001, the Tennessee Payphone Owners Association, an intervenor in the Payphone Docket, filed a letter arguing that the Authority should not approve BellSouth's Tariff No. 01-00003 because the Tariff does not comply with the Authority's December 19th rulings.

At a regularly scheduled Authority Conference held on January 9, 2001, the Directors voted unanimously to deny Tariff No. 01-00003 as revised on January 3, 2001. The Authority found that the Tariff did not comply with the December 19th rulings because section A7.4.5.A.1.c of the PTAS portion of the Tariff provided for monthly payphone line feature charges for

¹ BellSouth offers two types of payphone access lines: PTAS and SmartLine[®]. PTAS is an acronym for Pay Telephone Access Service and is sometimes referred to as a "dumb" line because the intelligence for certain payphone features, such as coin-handling, resides in the payphone set instead of the local exchange carrier's central office switch. For SmartLine[®] service, the intelligence resides in the local exchange carrier's switch.

² BellSouth explained that the SmartLine[®] rate filed on December 29, 2000 was inadvertently listed at \$13.78, the ordered rate for PTAS.

blocking and screening features and the effective date was not “[u]pon notification by TRA,” but rather January 28, 2001. Consequently, the Directors voted unanimously to direct BellSouth to file a compliant tariff no later than Thursday, January 11, 2001.³ Thereafter, BellSouth filed a second revision to Tariff No. 01-00003 on January 11, 2001.

On January 12, 2001, UTSE filed its Motion requesting an extension until March 6, 2001 to file a compliant cost study. In the Motion, UTSE explained that it “does not have an existing payphone study that would comply with the [Authority’s] directive and cannot complete a payphone-specific cost study consistent with the methodology adopted for BellSouth and Citizens within the 46 day time-frame allotted by the [Authority].”⁴

II. Findings and Conclusions

After reviewing Tariff No. 01-00003 and the revisions thereto, Tariff No. 01-00004, and UTSE’s Motion, the Authority makes the following findings and conclusions:

- 1) BellSouth’s Tariff No. 01-00003 as revised on January 11, 2001 is consistent with the December 19th rulings memorialized in the *Interim Order* entered by the Authority on February 1, 2001 and shall be effective immediately.
- 2) UTSE’s Tariff No. 01-00004 is consistent with the December 19th rulings memorialized in the *Interim Order* entered by the Authority on February 1, 2001 and shall be effective immediately.
- 3) Good cause was shown by UTSE for an extension to file a compliant cost study.

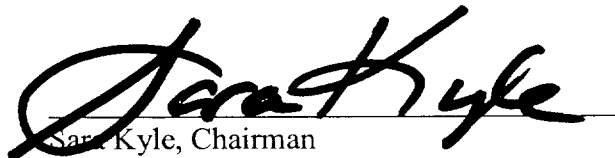
³ See *Order Denying Tariff No. 01-00003 as Filed on December 29, 2000 and Revised on January 3, 2001* (Feb. 13, 2001).

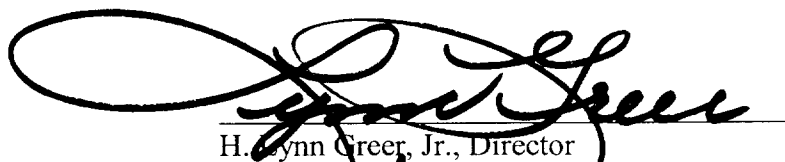
⁴ *UTSE Motion for Extension*, p. 1 (Jan. 12, 2001).

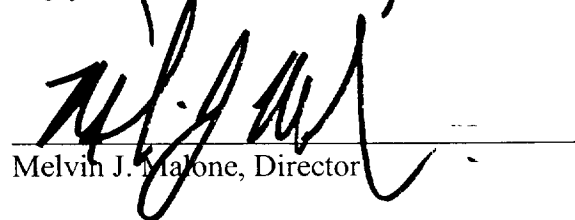
Based on these findings, the Directors voted unanimously to approve BellSouth's Tariff No. 01-00003 as revised on January 11, 2001, to approve UTSE's Tariff No. 01-00004, and to grant UTSE's Motion.

IT IS THEREFORE ORDERED THAT:

- 1) Tariff No. 01-00003, filed by BellSouth Telecommunications, Inc. on December 29, 2001 and revised on January 11, 2001, is approved and shall be effective as of February 6, 2001.
- 2) Tariff No. 01-00004, filed by United Telephone-Southeast, Inc. on January 12, 2001, is approved and shall be effective as of February 6, 2001.
- 3) *UTSE Motion for Extension* filed by United Telephone-Southeast, Inc. is granted. United Telephone-Southeast, Inc. shall file its payphone-specific cost study **no later than Tuesday, March 6, 2001.**


Sara Kyle, Chairman


H. Lynn Greer, Jr., Director


Melvin J. Malone, Director

ATTEST:


K. David Waddell, Executive Secretary